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5 UNITED STATES DISTRICT COURT
6 IN THE WESTERN DISTRICT OF WASHINGTON

7 PETER SCHAUB, an individual; and
8 CLOUDY SKIES PROPERTIES, LLC, a
Washington limited liability company,

9 Plaintiffs,

10 vs.

11 JPMORGAN CHASE BANK, N.A.; and
NORTHWEST TRUSTEE SERVICES,
INC.,

12 Defendants.

Case No. 17-0726RSM

ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFFS'
MOTION FOR EXTENSION OF TIME

13 THIS MATTER comes before the Court on Plaintiffs' Motion to Extend Consideration of
14 Defendants' Motion to Dismiss, Consolidation of Motions to Dismiss and Remand, and Extension
15 of Time to Respond. Dkt. #16. For the reasons discussed herein, the Court GRANTS IN PART
16 and DENIES IN PART Plaintiffs' motion.

17 Plaintiffs served Defendants with the instant action on or about April 12, 2017, which
18 would have been filed in King County Superior Court. Dkt. #1. Defendants then removed the
19 action to this Court. *Id.* On May 31, 2017, Defendants filed a Motion to Dismiss, properly noting
20 it for consideration on the Court's motion calendar on June 23, 2017. Dkt. #11 and LCR 7(d)(3).
21 On June 1, 2017, Plaintiffs filed a Motion to Remand, noting it for consideration on the Court's
22 calendar on June 30, 2017. Dkt. #12. Plaintiffs then filed an untimely Response to Defendants'
Motion to Dismiss on June 23, 2017. Dkt. #15 and LCR 7(d)(3). At the same time, Plaintiffs filed

1 the instant motion. Dkt. #16. Defendants have filed timely responses to Plaintiffs' Motion to
2 Remand, but no Reply in support of the motion has been filed. Dkts. #14 and #18. All pending
3 motions are now ripe for review.

4 In the instant motion for extension of time, Plaintiff asks the Court to consider Defendants'
5 Motion to Dismiss and Plaintiffs' Motion for Remand at the same time because they contain
6 similar issues, but seek contradictory relief. Dkt. #16 at 2. This is the Court's typical practice
7 when pending motions are related; thus, the Court GRANTS Plaintiffs' request and will consider
8 the motions simultaneously.

9 Plaintiffs further ask the Court to grant an extension of time to respond to the motions as if
10 they were both noted for consideration on June 30, 2017. *Id.* at 3. Although Plaintiffs provide no
11 explanation for their untimely response to Defendants' motion in violation of the Court's Local
12 Rules, the Court will consider the response as if it had been timely filed.

13 However, to the extent this motion seeks an extension of time to file a Reply in support of
14 Plaintiffs' Motion to Remand, such request is DENIED. Any such Reply was due no later than
15 June 30, 2017, but no brief was filed. Plaintiffs provide no explanation as to why any further
16 extension should be granted.

17 Accordingly, Plaintiffs' Motion for Extension of Time (Dkt. #16) is GRANTED IN PART
18 and DENIED IN PART as discussed above. The Court will consider the pending motions to
19 dismiss and for remand on the briefing already filed with the Court.

20 Dated this 11 day of July, 2017.

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22 RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE